

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

RHONDA HALL,

Plaintiff,

V.

VERIZON COMMUNICATIONS, INC. and
VERIZON NEW ENGLAND, INC.

Defendants.

CIVIL ACTION NO. 05-30002-MAP

APRIL 20, 2007

DEFENDANTS' MOTION TO SUBMIT TO THE COURT
ANY FEDERAL LAW CLAIM FOR BACK PAY

Defendants Verizon Communications, Inc. and Verizon New England, Inc. (collectively, “Verizon”) respectfully move to submit to the Court, and not to the jury, Plaintiff’s claim under federal law for back pay. The parties agree that Plaintiff’s claim for front pay under federal law is to be submitted to the Court, but, contrary to Plaintiff’s contention, Verizon asserts that Plaintiff’s back pay claim under Title VII and the ADA also must be submitted to the Court, not to the jury. The accompanying memorandum of law sets forth the statutory basis of Verizon’s assertion, as well as applicable case law from other Courts of Appeals.

Respectfully submitted,

DEFENDANTS, VERIZON
COMMUNICATIONS, INC. AND
VERIZON NEW ENGLAND, INC.

/s/ Stacy Smith Walsh

Victoria Woodin Chavey (*pro hac vice*)
Stacy Smith Walsh (BBO No. 647420)
Day Pitney LLP
CityPlace I
Hartford, Connecticut 06103-3499
(860) 275-0100
(860) 275-0343 (fax)
vwchavey@daypitney.com
sswalsh@daypitney.com
Their Attorneys

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2007, a copy of foregoing **Defendants' Motion to Submit to the Court Any Federal Law Claim for Back Pay** was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Stacy Smith Walsh

Stacy Smith Walsh